

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONUMENTAL LIFE INSURANCE)
COMPANY,)
Plaintiff,)
v.) Case No. 4:10 CV 1781 RWS
ELAIN KAY YOUNG, et al.,)
Defendants.)

MEMORANDUM AND ORDER

This is an interpleader action to determine which of the Defendants are entitled to the insurance proceeds arising from the death of Melvin B. Griesbauer. This matter is before me on Defendant Kristy Garcia's Motion for Default Judgment [#35].

Garcia requests default judgment be entered against several of the Defendants who have been served but have not plead or otherwise defended this matter. However, Garcia has not filed a motion for clerk's entry of default under Rule 55(a). As a result, Garcia's motion for default judgment is premature and will be denied without prejudice.

Accordingly,

IT IS HEREBY ORDERED that Defendant Kristy Garcia's Motion for Default Judgment [#35] is DENIED without prejudice.

Rodney W. Sippel
RODNEY W. SIPPEL
UNITED STATES DISTRICT JUDGE

Dated this 11th day of May, 2011.